

REMARKS/ARGUMENTS

This Amendment is provided in response to the Office Action dated February 23, 2004. This Amendment is being submitted within the three month period for response extending to May 23, 2004. Please note that since May 23, 2004, falls on a Sunday, the period for response is extended to Monday, May 24, 2004. Please enter the following amendments and remarks.

Claims 1-2, 4, and 6-8 are currently amended.

Claims 1-8 remain pending in this case after entry of this Amendment.

Rejections under 35 U.S.C. § 103

Claims 1-8 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Latif et al. ("Latif") (U.S. Patent No. 6,400,730) in view of Andrew S. Tanenbaum "Structured Computer Organization, Third Edition," 1990 ("Tanenbaum"). These rejections are respectfully traversed.

Latif discloses a method for routing data packets in a switch device in a network such as a SAN. According to Latif, a data packet is received in a first format from a first network device, at a first port interface of the switch device. Then, the received data packet is converted from the first format to an internal format of the switch device. The method of Latif further includes routing the data packet defined in the internal format through the switch device to a second port interface. Then, the data packet is converted from the internal format to a second format corresponding to the second port interface. The data packet in the second format is then transmitted from the second port interface of the switch device to a second network device.

It should be appreciated that the disclosure of Latif is directed to network protocol translation within a network switch device. The network protocol translation disclosed by

Latif enables transmission of data packets between network devices that normally operate based on networking protocols that are incompatible with respect to each other. Thus, Latif is concerned with networking protocol formats. It should be further appreciated that the disclosure of Latif does not mention file system request formats.

5 The Office has relied on Tanenbaum only to serve as a bridge from the hardware embodiments of Latif to the software embodiments of the present invention. The Office has relied on Latif to disclose each and every feature of the claimed invention. Therefore, the Applicant's arguments below are primarily directed to Latif, and should not be misconstrued as arguing against references individually to overcome an obviousness
10 rejection.

 Claim 1 has been amended to clarify that the module interface is capable of receiving a file system request configured in a first file system format based on a first operating system. Also, claim 1 has been amended to clarify that the module interface is capable of translating the file system request from the first file system format to a second
15 file system format, wherein the second file system format is based on a second operating system.

 With respect to claim 1, as amended, Latif does not disclose that the network switch is capable of receiving a file system request. Also, Latif does not disclose that the network switch is capable of translating a received file system request from a first file
20 system format to a second file system format, wherein each of the first and second file system formats are based on different operating systems. The Applicant respectfully submits that networking protocol formats, as discussed by Latif, are neither equivalent nor analogous to file system request formats, as recited in the claims of the present invention. To establish prima facie obviousness against a claimed invention, each and
25 every feature of the claimed invention must be disclosed or suggested by the combined

cited art of record. For at least the reasons discussed above, the combination of Latif and Tanenbaum does not disclose each and every feature of claim 1, as amended, as required to establish a prima facie case of obviousness. Therefore, the Applicant kindly requests the Office to withdraw the rejection of claim 1.

5 Claims 2 and 4 have been amended to be consistent with amendments to claim 1, from which they ultimately depend. Since each of claims 2-5 ultimately depend from claim 1, each of claims 2-5 inherit all features of claim 1. Therefore, the Applicant respectfully submits that claims 2-5 are patentable for at least the same reasons provided for claim 1. The Applicant kindly requests the Office to withdraw the rejections of claims
10 2-5.

 Claim 6 has been amended to clarify that each of the plurality of software modules are defined to communicate a file system request to the module interface. Also, claim 6 has been amended to clarify that the module interface is defined to provide file system translation between the plurality of software modules.

15 With respect to claim 6, the Office has attempted to draw a comparison between the module interface of the present invention and the networking switch of Latif. However, the networking switch of Latif is only disclosed as being capable of receiving network protocol communications and providing network protocol format translations. In contrast, the present invention requires the module interface to receive file system
20 requests in accordance with a file system format. Also, the present invention requires the module interface to provide file system format translations between different software modules. For at least the reasons discussed above, the combination of Latif and Tanenbaum does not disclose each and every feature of claim 6, as amended, as required to establish a prima facie case of obviousness. Therefore, the Applicant kindly requests
25 the Office to withdraw the rejection of claim 6.

Claims 7-8 have been amended to be consistent with claim 6, as amended, from which they ultimately depend. Since each of claims 7-8 ultimately depend from claim 6, each of claims 7-8 inherit all features of claim 6. Therefore, the Applicant respectfully submits that claims 7-8 are patentable for at least the same reasons provided for claim 6.

5 The Applicant kindly requests the Office to withdraw the rejections of claims 6-8.

If view of the foregoing, the Applicant respectfully submits that each of claims 1-8 is patentable over the cited art of record. Therefore, a notice of allowance is respectfully requested. If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 749-6900 ext. 6914. If
10 any additional fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. INSTP007B). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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